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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) CR No.: 3-08-70181 MAG

14 )  
15 Plaintiff, ) **STIPULATION AND [PROPOSED]**  
16 v. ) **ORDER EXCLUDING TIME**

17 PETER RAYMOND JUNEAU )

18 Defendant. )

20

21 On May 27, 2008, the parties in this case appeared before the Court for a preliminary  
22 hearing. At that time, the parties requested and the Court agreed to continue the hearing to June  
23 24, 2008. The parties further stipulated that pursuant to Federal Rule of Criminal Procedure  
24 (FRCP) 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from May 27, 2008, to and  
25 including June 24, 2008. The parties agree that – taking into account the public interest in  
26 prompt disposition of criminal cases – good cause exists for this extension. Defendant also  
27 agrees to exclude for this period of time any time limits applicable under Title 18, United States  
28 Code, Section 3161. This continuance is the reasonable time necessary for continuity of defense

1 counsel and effective preparation of defense counsel, taking into account the exercise of due  
2 diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice  
3 served by granting such a continuance outweigh the best interests of the public and the defendant  
4 in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

5 SO STIPULATED:

6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

8 DATED: 6/20/08

/s/ Owen Martikan  
9 OWEN P. MARTIKAN  
Assistant United States Attorney

10 DATED: 6/19/08

/s/  
11 RONALD C. TYLER  
12 Attorney for Peter Raymond Juneau

13 **[PROPOSED] ORDER**

14 For the reasons stated above, the Court finds that an exclusion of time from May 27, 2008, to  
15 and including June 24, 2008, is warranted and that the ends of justice served by the continuance  
16 outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C.  
17 §3161 (h)(8)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny Mr.  
18 Juneau continuity of counsel and would deny defense counsel the reasonable time necessary for  
19 effective preparation, taking into account the exercise of due diligence, and would result in a  
20 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

21 SO ORDERED.

22 DATED: June 20, 2008

  
23 HON. EDWARD M. CHEN  
24 United States Magistrate Judge